Document 625

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№AO 245B

NNY(Rev. 10/05) Judgment in a Criminal Case Sheet 1

TT ~	_	
UNITED STA	ATES DIST	RICT COURT

	UNITED ST	TATES DISTRICT (COURT		
No	rthern	District of	New York		
UNITED STAT	ES OF AMERICA V.	JUDGMENT IN	A CRIMINAL CASE		
Shaheem White	em White	Case Number:	DNYN106CR0039	94- 017	
a/k/a Double S THE DEFENDANT:		USM Number: Donald T. Kinsella 90 State Street, Sui Albany, New York Defendant's Attorney	te 1011	1	
X pleaded guilty to count(s	2 of a 7 count Second Sup	perseding Indictment on March 2	0, 2008		
pleaded noto contendere which was accepted by t	to count(s)				
was found guilty on cour after a plea of not guilty	nt(s)			· · · · · · · · · · · · · · · · · · ·	
The defendant is adjudicate	d guilty of these offenses:	·			
Title & Section 21 U.S.C. §§ 841(a)(1), (b)(1)(B) and 846	Nature of Offense Conspiracy to Possess with Crack Cocaine	Intent to Distribute and Distribute	Offense Ended 10/13/2006	<u>Count</u> 2	
The defendant is sen with 18 U.S.C. § 3553 and t □ The defendant has been t	<u>-</u>	hrough <u>6</u> of this ju	adgment. The sentence is impo	sed in accordance	
X Count(s) $1, 3, 4, 5, 6$	- , , ,	X are dismissed on the mot	tion of the United States		
It is ordered that the	defendant must notify the Unit	ed States attorney for this district al assessments imposed by this judges of material changes in economous October 22, 2008	within 30 days of any change of any change of dement are fully paid. If ordered nic circumstances.	of name, residence, I to pay restitution,	
JPD		Gary Is Sharpe U.S. District Jud	s. Sparupe	-	
		Date OCIOTOI	- 1		

JPD

NNY(Rev. 10/05) Judgment in a Criminal Case Sheet 2 — Imprisonment AO 245B

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DEFENDANT:		Shaheem White
CASE NUMBER:		DNYN106CR000394-017
		IMPRISONMENT
	The defendant is h	ereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of:
	120 months	
X	The court makes th	e following recommendations to the Bureau of Prisons:
	- That the defendan to the instant offen imprisonment, purs - That the defendar - That the defendar	receive 19 months custody credit for imprisonment served on prior convictions that are considered relevant conduct ise. It is recommended the 19 months be deducted from the imposed mandatory minimum 120 month term of suant to U.S.S.G. §§5G1.3 and 5K2.23. It participate in the 500 hour Comprehensive Residential Drug Abuse Treatment Program. It be placed in a facility closest to Albany, New York.
X	The defendant is re	manded to the custody of the United States Marshal.
	The defendant shal	l surrender to the United States Marshal for this district:
	□ at	a.m p.m. on
	☐ as notified by	the United States Marshal.
	The defendant shal	surrender for service of sentence at the institution designated by the Bureau of Prisons;
	before 2 p.m.	on
	☐ as notified by	the United States Marshal.
	☐ as notified by	the Probation or Pretrial Services Office.
		RETURN
I have	executed this judgm	ent as follows:
	Defendant delivered	d on to
at		, with a certified copy of this judgment.
···		, with a certified copy of this judgment.
		UNITED STATES MARSHAL
		D _e .
	 	By

Judgment---Page

AO 245B NNY(Rev. 10/05) Judgment in a Criminal Case

Sheet 3 — Supervised Release

DEFENDANT: Shaheem White

CASE NUMBER: DNYN106CR000394-017

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of:

8 years

The defendant must report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

- The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)
- x The defendant shall not possess a firearm, destructive device, or any other dangerous weapon.
- x The defendant shall dooperate in the collection of DNA as directed by the probation officer. (Deselect, if inapplicable.)
- The defendant shall register with the state sex offender registration agency in the state where the defendant resides, works, or is a student, as directed by the probation officer. (Check, if applicable.)
- The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or restitution, it is a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall hot frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement; and
- 14) the defendant shall not possess a firearm, destructive device, or any other dangerous weapon.

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AO 245B NNY(Rev. 10/05) Judgment in a Criminal Case Sheet 3C — Supervised Release

DEFENDANT: Shah

Shaheem White

CASE NUMBER:

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SPECIAL CONDITIONS OF SUPERVISION

- 1. You shall provide the probation officer with access to any requested financial information.
- 2. You shall contribute to the cost of any evaluation, testing, treatment and/or monitoring services rendered in an amount to be determined by the probation officer based on your ability to pay and the availability of third party payments.
- 3. You shall refrain from the use of alcohol while in treatment and for the remainder of the term of supervision following completion of treatment.
- 4. You shall participate in a program for substance abuse which shall include testing for drug and/or alcohol use and may include inpatient and/or outpatient treatment. The program shall be approved by the United States Probation Office.
- 5. You shall submit your person, and any property, house, residence, vehicle, papers, computer, other electronic communications or data storage devices or media, and effects to search at any time, with or without a warrant, by any federal probation officer, or any other law enforcement officer from whom the Probation Office has requested assistance, with reasonable suspicion concerning a violation of a condition of probation or supervised release or unlawful conduct by you. Any items seized may be removed to the Probation Office or to the office of their designee for a more thorough examination.
- 6. You shall not associate with any member, associate, or prospect of the Jungle Junkies, or any other criminal gang, club, or organization, in person, by telephone, or by any other means of interaction or communication. You shall not wear or display the colors or insign a of these organizations, or obtain tattoos, scars or burn marks, including brands associated with these organizations.

DEFENDANT'S ACKNOWLEDGMENTOF APPLICABLE CONDITIONS OF SUPERVISION

Upon a finding of a violation of probation or supervised release, I understand that the court may (1) revoke supervision, (2) extend the term of supervision, and/or (3) modify the conditions of supervision.

The conditions of supervision have been read to me. I fully understand the conditions and have been provided a copy of them.

Defendant	Date	
U.S. Probation Officer/Designated Witness	Date	

Case 1:06-cr-00394-MAD Document 625 Filed 10/28/08 Page 5 of 6 AO 245B NNY(Rev. 10/05) Judgment in a Criminal Case Sheet 5 — Criminal Monetary Penalties Judgment -DEFENDANT: Shaheem White **CASE NUMBER:** DNYN106CR000394-017 CRIMINAL MONETARY PENALTIES The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6. <u>Assessment</u> Restitution **TOTALS** 100 The determination of restitution is deferred until . An Amended Judgment in a Criminal Case (AO 245C) will be entered after such determination. The defendant must make restitution (including community restitution) to the following payees in the amount listed below. If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(1), all nonfederal victims must be paid before the United States is paid. Name of Payee Total Loss* **Restitution Ordered Priority or Percentage**

TOTALS

Restitution amount ordered pursuant to plea agreement \$

The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

The court determined that the defendant does not have the ability to pay interest and it is ordered that:

the interest requirement is waived for the fine restitution.

☐ the interest requirement for the ☐ fine ☐ restitution is modified as follows:

^{*} Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

NNY(Rev. 10/05) Judgment in a Criminal Case Sheet 6 — Schedule of Payments

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DEFENDANT:

AO 245B

Shaheem White

CASE NUMBER:

DNYN106CR000394-017

SCHEDULE OF PAYMENTS

нач	ing a	issessed the detendant's ability to pay, payment of the total criminal monetary penalties are due as follows:
A	X	In full immediately; or
В		Lump sum payment of \$ due immediately, balance due
		□ not later than, or □ in accordance with □ D, □ E, □ F, or □ G below; or
C		Payment to begin immediately (may be combined with D, E, or G below); or
D	□ -	Payment in equal (e.g., weekly, monthly, quarterly) installments of \$ over a period of (e.g., months or years), to commence (e.g., 30 or 60 days) after the date of this judgment; or
E	□ -	Payment in equal (e.g., weekly, monthly, quarterly) installments of \$ over a period of (e.g., months or years), to commence (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
F		Payment during the term of supervised release will commence within (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
G		Special instructions regarding the payment of criminal monetary penalties:
15 10	cated	e court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during ment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial bility Program, are made to Lawrence K. Baerman, Clerk, U.S. District Court, Federal Bldg., P.O. Box 7367, 100 S. Clinton yracuse, N.Y. 13261-7367, unless otherwise directed by the court, the probation officer, or the United States attorney. If a victim located, the restitution paid to the Clerk of the Court for that victim shall be sent to the Treasury, to be retrieved if and when the victim and the shall receive credit for all payments previously made toward any criminal monetary penalties imposed.
	Join	t and Several
		Defendant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate.
		The Court gives notice that this case involves other defendants who may be held jointly and severally liable for payment of all or part of the restitution ordered herein and may order such payment in the future.
	The	defendant shall pay the cost of prosecution.
	The	defendant shall pay the following court cost(s):
	The	defendant shall forfeit the defendant's interest in the following property to the United States:
Payı inte	nents est. (shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.